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NOTICE OF ALLOWANCE AND FEE(S) DUE

75127

7590

04/06/2010

KING & SPALDING LLP (CITI CUSTOMER NUMBER)

ATTN: GEORGE T. MARCOU

1700 PENNSYLVANIA AVENUE, NW

SUITE 200

WASHINGTON, DC 20006

EXAMINER

BORLINGHAUS, JASON M

ART UNIT

PAPER NUMBER

3693

DATE MAILED: 04/06/2010

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/662,588

09/15/2000

Fred Irwin

CITI0184

1954

TITLE OF INVENTION: SYSTEM AND METHOD OF INTERFACING FOR CLIENT APPLICATION PROGRAMS TO ACCESS A DATA MANAGEMENT SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$0	\$0	\$1510	07/06/2010

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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75127 7590 04/06/2010

KING & SPALDING LLP (CITI CUSTOMER NUMBER)
ATTN: GEORGE T. MARCOU
1700 PENNSYLVANIA AVENUE, NW
SUITE 200
WASHINGTON, DC 20006

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE-FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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TITLE OF INVENTION: SYSTEM AND METHOD OF INTERFACING FOR CLIENT APPLICATION PROGRAMS TO ACCESS A DATA MANAGEMENT SYSTEM

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nonprovisional	NO	\$1510	\$0	\$0	\$1510	07/06/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
BORLINGHAUS, JASON M	3693	705-037000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/147; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

1

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

2

3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.111. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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WASHINGTON, DC 20006

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 797 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 797 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

09/662,588

Examiner

JASON M. BORLINGHAUS

Applicant(s)

IRWIN ET AL.

Art Unit

3693

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERIT IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/3/10.
2. ☒ The allowed claim(s) is/are 8-27.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 3/3/10
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/Jason M Borlinghaus/
Primary Examiner, Art Unit 3693

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 3/3/10 has been entered.

Examiner Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Eric Saphir on 1/8/10.

Claims 8, 16, 18 and 23 are amended as follows.

Claim 8. A system comprising:

- a customer terminal;

- a trader terminal operatively coupled to the customer terminal through a communications network;
- a processor;
- wherein the processor is configured to dynamically create sets of class components to handle one or more ~~transactions involving a trade requests~~ from a customer at the customer terminal, with each set of class components further comprising:
 - a first component comprising functions for sending messages and receiving messages to the system on behalf of the customer;
 - a second component comprising functions for controlling access to the system by the customer; and
 - a third component comprising functions for sending messages to and receiving messages from the first component and a trader at the trader terminal; and
- wherein each set of class components is dynamically created for each customer submitting the one or more trade requests; and
- wherein the processor comprises a timer wherein the trade request from the customer is automatically revoked at a predetermined duration of time if the trader does not accept the trade request, ~~and wherein each set of class components is dynamically created for each customer attempting to execute a transaction.~~

Claim 16. A method comprising:

- in a computer system:
 - dynamically creating, in a processor, a set of class components to handle one or more ~~transactions involving a trade requests~~ for a customer, which further comprises:
 - creating a first component comprising functions for sending messages and receiving messages to a system on behalf of a customer;
 - creating a second component comprising functions for controlling access to the system by the customer; and

- creating a third component comprising functions for sending messages to and receiving messages from the first component and a trader;
- wherein each set of class components is dynamically created for each customer submitting the one or more trade requests; and
- transmitting messages between the customer and the trader through a communications network; and
- automatically revoking, by the processor, at a predetermined duration of time the trade request from the customer if the trader has not accepted the trade request.

Claim 18. A trading services computer program product ~~comprising: at least one computer-readable medium; encoded on computer-readable medium that when executed by a computer system performs a method comprising:~~

- ~~a class creation module stored on the at least one medium, and operable, upon a customer accessing of a customer to trading services of the computer program product to submit for handling one or more transactions involving a trade requests from the customer to a trader, to create~~ creating at least one set of classes, each set comprising at least one class;
- wherein the created classes include at least one of:
- an access control class configured to control access to the system by the customer;
- a trading system communications class configured to control transmission and receipt messages between the customer and the trader; and
- a translator class configured to control interaction between class components; and
- wherein each set of class components is dynamically created for each customer submitting the one or more trade requests; and
- ~~a timer module stored on the at least one medium, and operable to automatically revoke~~ revoking at a predetermined time the trade request from the customer if the trader does not accept the trade request ~~wherein each set of class components is dynamically created for each customer attempting to execute a transaction.~~

Claim 23. A computer implemented method for trading financial instruments, the method comprising:

- ~~a class creation module stored on the at least one medium, and operable, upon a customer accessing of a customer to trading services of the computer program product to submit for handling one or more transactions involving a trade requests from the customer to a trader, to create~~ creating, in a processor, at least one set of classes, each set comprising at least one class;
- wherein the created classes include at least one of:
- an access control class configured to control access to the system by the customer;
- a trading system communications class configured to control transmission and receipt messages between the customer and the trader; and
- a translator class configured to control interaction between class components; and
- wherein each set of class components is dynamically created for each customer submitting the one or more trade requests; and
- ~~a timer module stored on the at least one medium, and operable to automatically revoke~~ revoking, by the processor, at a predetermined time the trade request from the customer if the trader does not accept the trade request ~~wherein each set of class components is dynamically created for each customer attempting to execute a transaction.~~

Allowable Subject Matter

Claims 8 - 27 are allowed.

The following is a statement of reasons for indication of allowable subject matter.

The prior art fails to teach or suggest the limitations of:

"to submit one or more trade requests to a trader, creating ... at least one set of classes, each set comprising at least one class; wherein the created classes include at least one of: an access control class configured to

control access to the system by the customer; a trading system communications class configured to control transmission and receipt messages between the customer and the trader; and a translator class configured to control interaction between class components; wherein each set of class components is dynamically created for each customer submitting the one or more trade requests" (as in Claim 23).

Such limitation is present in all independent claims.

It is old and well known in the art for to transmit and process trade requests for financial instruments through a networked computer system. Such a computerized system would require programming written in a computer language. One such computer language is object-oriented computer languages which dynamically creates "dynamically allocated objects" during the execution of the computer program.

The instant application distinguishes from these old and well known practices by dynamically creating a set of classes, each set created dynamically for each customer submitting as trade request, wherein each set comprising at least one class which controls access to the system, controls communication or controls interaction between classes.

Kalmus (US Patent 4,674,044) discloses a method/system for submitting and processing trade requests for financial instruments. (see abstract). Neither this patent, alone nor in combination with others, discloses nor suggests the feature of dynamically creating a set of classes, each set created dynamically for each customer submitting as trade request, wherein each set comprising at least one class which controls access to the system, controls communication or controls interaction between classes.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON M. BORLINGHAUS whose telephone number is (571)272-6924. The examiner can normally be reached on Monday - Friday; 9am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James A. Kramer can be reached on (571)272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 09/662,588
Art Unit: 3693

Page 8

/Jason M Borlinghaus/
Primary Examiner, Art Unit 3693
March 27, 2010